

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**REDDY ET AL.**

Serial No.: **10/759,678**

Filed: **JANUARY 16, 2004**

Title: **"SETTABLE FLUIDS COMPRISING  
PARTICLE-SIZE DISTRIBUTION-  
ADJUSTING AGENTS AND  
METHODS OF USE"**

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Group Art Unit: **1755**

Confirmation No. **8611**

Examiner: **PAUL D. MARCANTONI**

Atty. Docket No: **HES 2003-IP-011937U1**

Mail Stop RCE  
Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF FILING ELECTRONICALLY  
VIA EFS MPEP 503**

I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR  
BELIEF THAT THIS CORRESPONDENCE IS BEING SUBMITTED TO  
THE UNITED STATES PATENT AND TRADEMARK OFFICE VIA  
EFS (ELECTRONICALLY) ON THE DATE INDICATED BELOW, AND  
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PO BOX 1450  
ALEXANDRIA, VA 22313-1450



Debbie Allen

DATE OF SUBMISSION:  
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**AMENDMENT AND RESPONSE AND  
REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114 TO  
FINAL OFFICE ACTION, MAILED JULY 13, 2007**

Dear Honorable Commissioner:

In response to the Final Office Action, mailed July 13, 2007 (the "Final Office Action"), Applicants submitted a Notice of Appeal and requested a Pre-Appeal Brief Review. The Panel Decision, mailed January 25, 2008, indicated that the application remained under appeal because there was at least one actual issue for appeal.

Applicants hereby request continued examination, in accordance with 37 C.F.R. § 1.114, for the above-identified application.

This request is being submitted before: (i) the abandonment of this response (ii) payment of the issue fee; (iii) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit; or (iv) the commencement of a civil action under 35 U.S.C. § 145 or 35 U.S.C. § 146.

In response to the Final Office Action, Applicants submit the following:

- **Amendments to the Claims**, which begins on page 3 of this paper; and
- **Remarks/Arguments** begin on page 14 of this paper.